BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of	)	
	)	
Revision of the Commission's	)	CC Docket 94-102
Rules to Ensure Compatibility	)	RM-8143
with Enhanced 911 Emergency	)	
Calling Systems	)	

COMMENTS OF THE
CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION

The Cellular Telecommunications Industry Association ("CTIA")[1] respectfully submits comments responding to the Commission's Further Notice of Proposed Rule Making in this proceeding.[2] CTIA opposes the Commission's proposals (1) to require a higher degree of automatic location identification ("ALI") accuracy after the five-year Phase II period, and (2) to require transmission of 911 calls from non-service initialized handsets. CTIA strongly supports a comprehensive outreach effort to educate the public on the use of wireless 911, but respectfully submits that such

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[1] CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers, and includes forty-eight of the fifty largest cellular, broadband PCS, enhanced specialized mobile radio, and mobile satellite service providers.

[2] Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 94-102, FCC 96-264 (released July 26, 1996)("Order & Further Notice").

efforts are best handled at the state and local level given the nature of wireless 911 services.

I. The Commission Should Not Establish a Higher Degree of Automatic Location Identification Accuracy to Take Effect Immediately After the Five-Year Phase II Period.

In its Report and Order in this proceeding, the Commission established, among other matters, requirements for the deployment of ALI systems. Specifically, within five years of the effective date of the new rules, covered carriers must supply to Public Safety Answering Points ("PSAPs") information that locates a wireless 911 caller within a radius of 125 meters, using longitude and latitude data, and that provides this degree of accuracy for 67 percent of the 911 calls processed.[3] In the Further Notice, however, the Commission proposes a higher degree of ALI accuracy to take effect immediately after the close of the aforementioned five-year period. In an effort to "spur continuing efforts to develop improved location information technologies," the Commission proposes that covered carriers be capable of providing to PSAPs, after the initial five-year period, information that locates a wireless 911 caller within a radius of 40 feet, using longitude, latitude, and vertical location data, and that provides this degree of accuracy for 90 percent of the 911 calls processed.[4]

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[3] Order & Further Notice at ¶ 71.

[4] Order & Further Notice at ¶ 138.

CTIA agrees that as ALI technology advances, the capabilities of wireless E911 should be improved to provide more precise and reliable information. In promoting efforts to develop improved technologies, however, the Commission should not hinder such progress by imposing on equipment manufacturers and service providers implementation benchmarks that have no practical or theoretical basis.

Unfortunately, the Commission's proposed requirements are overly aggressive and are not based on any evidence that such requirements are technologically feasible within the proposed time frame. To our knowledge, no system has been commercially demonstrated or even field tested that is capable of identifying the latitude, longitude, and altitude of a mobile unit making a 911 call within a radius of no more than 12 meters (40 feet) in 90 percent of all cases. The Phase II requirements adopted by the Commission in the Order and Further Notice set forth an aggressive implementation schedule for wireless 911 ALI. In fact, the Phase II requirements are viewed by some parties as "excessively optimistic" and difficult to implement.[5]

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[5] See Telecommunications Industry Association, Petition for Reconsideration and Clarification at 17, Sept. 3, 1996. See also BellSouth Corporation, Petition for Reconsideration at 10, Sept. 3, 1996; Omnipoint Communications, Petition for Reconsideration and Clarification at 15, Sept. 3, 1996; Personal Communications Industry Association, Petition for Reconsideration at 12, Sept. 3, 1996; Nokia Telecommunications, Inc., Petition for Reconsideration at 3, Sept. 3, 1996.

The Commission partially based its proposal on a single manufacturer's claim that it is already possible to implement location technology that can identify a 911 caller's location with a reliability of 90 percent.[6] Even that commenter, however, claimed 90 percent accuracy only for a distance of 125 meters, and only using longitude and latitude location data.[7] The Commission similarly relied on the recommendations of the Joint Experts Meeting Report, which suggested a near term goal of accuracy within 400 feet and a long term goal of accuracy within 40 feet.[8] Nowhere, however, does the report suggest that a 90% accuracy rate should be included as part of the long-term goal. Nor does the report specify a particular time frame within which these goals should be obtainable. In fact, the JEM Report clearly notes that "these are goals, not requirements. The realization of these goals is contingent on economic and technical feasibility."[9]

The Commission already has provided an ambitious schedule for implementing ALI. The Phase II ALI requirements will serve as a threshold standard from which both the public safety communities and the wireless service providers may work to improve the quality and reliability of

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6 Order & Further Notice at ¶ 139.

7 See KSI, Inc., Reply Comments at 5, Mar. 11, 1996.

8 Joint Experts Meeting Report at 7-8, Nov. 2, 1994 ("JEM Report").

9 JEM Report at 8 n.1.

E911 services as technology permits and as the benefit of increased location accuracy outweighs any additional cost.[10] Given this framework, and the uncertainty surrounding the maturity of ALI technology and the pace of advancement in this area, the Commission should refrain from imposing any additional ALI requirements at this time.

As location technology develops, PSAPs and other emergency service authorities will be best positioned to determine the needs of their individual communities, and to strike the proper balance between the costs and benefits associated with implementing different ALI technologies. For instance, PSAPs located in growing urban areas may at some point find the need for an improved location accuracy standard (e.g., a 40-foot location accuracy standard), whereas less populated, rural areas may never require such high accuracy standards. When a need for improvement arises, a particular PSAP will be able to best determine whether the benefit of obtaining improved technology outweighs the associated costs. Ultimately, this decision will be made by PSAPs, and not by wireless carriers, since the PSAPs must provide the funds carriers require to recover their costs.

Although the wireless industry hopes it can do better than simply meet the threshold requirements set forth for

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[10] In mobile calling applications, there may be little additional benefit associated with increased location accuracy. A car moving at 30 miles per hour will travel more than 2500 feet in one minute.

the next five years, both the public safety needs and the technological capabilities of wireless ALI are dynamic forces. Moreover, market forces should spur additional improvements as vendors seek to gain an advantage in the marketplace. Accordingly, a flexible environment will best serve the needs of the public, the PSAPs, and the wireless industry.

II. Requiring CMRS Providers to Transmit 911 Calls from Non-service Initialized Handsets Will Prevent Wireless Carriers from Providing 911 Enhancements to PSAPs.

Section 20.18(b) of the Commission's Rules requires, within one year from the effective date of the new rules, CMRS providers to process 911 calls from wireless handsets that do not transmit a code identification, when requested by the PSAP Administrator. The Commission also proposed to require CMRS providers, within a reasonable time after the one year period, to transmit all such calls even without a request from the PSAP.[11]

Throughout this proceeding, CTIA has opposed the requirement that CMRS providers process 911 calls from non-subscribers because such a requirement would foreclose carriers from providing the enhanced services that formed the predicate of this proceeding.[12] Specifically, this obligation creates a system that (1) denies wireless carriers and PSAPs the ability to consistently provide enhanced 911 features to wireless users; (2) guarantees there will be more fraudulent and prank calls to 911, as well as more errors and mistakes in rendering emergency services, while denying carriers the ability to limit their liability; and (3) applies an incorrect analogy to a public

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[11] Report & Further Notice at ¶ 149.

[12] See CTIA, Petition for Reconsideration and Clarification at 3-12, Sept. 3, 1996; CTIA, Comments at 3-7, Dec. 15, 1995.

pay telephone service while radically changing the nature of CMRS service from a licensed to unlicensed service.[13]

All commenters on the petition that initially proposed this requirement "urged the Commission to deny [such] proposals."[14] Moreover, over one half of the Petitions for Reconsideration of the Commission's Order opposed some aspect of transmitting 911 calls from non-subscribers.[15] For the reasons outlined above, which are further explained in CTIA's Petition for Reconsideration, and given the record supporting a strong opposition to the proposal, the Commission should not adopt the requirement that all calls, even those from non-service activated phones, be processed regardless of whether a PSAP has made such a request.

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[13] See CTIA, Petition for Reconsideration at 3-12, Sept. 3, 1996. This obligation also establishes the potential for CMRS licensees, who are bound by the Commission's Rules, to be unable to comply with these rules due to the failure of the PSAPs (whose activities fall outside of the Commission's regulatory jurisdiction) to agree to a single policy for processing 911 calls from non-service activated phones within a CMRS licensee's service area. Id.

[14] Order & Further Notice at ¶ 26.

[15] See XYPOINT Corp., Petition for Reconsideration at 3-6, Sept. 3, 1996; AT&T Wireless Services, Inc., Petition for Reconsideration at 4-6, Sept. 3, 1996; Nokia Telecommunications, Inc., Petition for Reconsideration at 1-3, Sept. 3, 1996; PCIA, Petition for Reconsideration at 7-10, Sept. 3, 1996; Bell Atlantic Nynex Mobile, Petition for Reconsideration at 4, Sept. 3, 1996; Ameritech Corp., Petition for Reconsideration at 7-10, Sept. 3, 1996; Nextel Communications, Inc., Petition for Reconsideration at 3-6, Sept. 3, 1996; PrimeCo Personal Communications, L.P., Petition for Reconsideration at 2-4, Sept. 3, 1996; Southwestern Bell Mobile Systems, Inc., Petition for Reconsideration at 2-8, Sept. 3, 1996.

III. CTIA is Committed To Working With State Entities to Educate and Heighten the Awareness of the Public on the Use of Wireless 911.

In acknowledging that solutions may not be readily developed for certain 911 services, the Commission sought comment on how users can be informed or made aware of the technological limitations that can impede transmissions of wireless 911 calls.[16] Both service providers and public safety agencies already have made significant steps toward educating the public on the use of wireless 911.

CTIA already has devoted significant resources to educating the public on the use of wireless 911. CTIA has prepared the attached "The Vital Link" brochure in conjunction with the National Safety Council, Mothers Against Drunk Driving (MADD), and the AAA Foundation for Traffic Safety.[17] CTIA's members already have distributed more than 1.7 million Vital Link brochures to their customers and members of their communities. Similar consumer education activities are being conducted at the state level. For example, the State of California has established a Cellular 9-1-1 Education Task Force, which is working to educate the public about the responsible use of cellular 911 and the differences between wireless and landline 911. The Task Force has launched a statewide

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[16] Order & Further Notice at ¶ 150.

[17] See Exhibit A.

campaign that includes radio public service announcements (PSAs), point-of-sale displays, and educational pamphlets. The Task Force includes California's wireless carriers, and representatives from the California Highway Patrol and public safety agencies.[18]

CTIA is committed to supporting public information programs that educate consumers on the use of wireless 911, including the dissemination of information about wireless technology and the responsible use of wireless 911. CTIA believes that a comprehensive outreach effort in the various states will effectively disseminate information that will allow wireless users to determine rationally and accurately the scope of their options in accessing 911 services. Given the local nature of 911 service, these outreach programs must proceed on a state and local level.

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[18] See Exhibit B.

CONCLUSION

For the foregoing reasons, the Commission should not impose additional ALI requirements nor expand wireless carriers' obligation to transmit 911 calls from non-service initialized handsets. However, public education and information efforts should be supported and encouraged.

Respectfully Submitted,

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CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION
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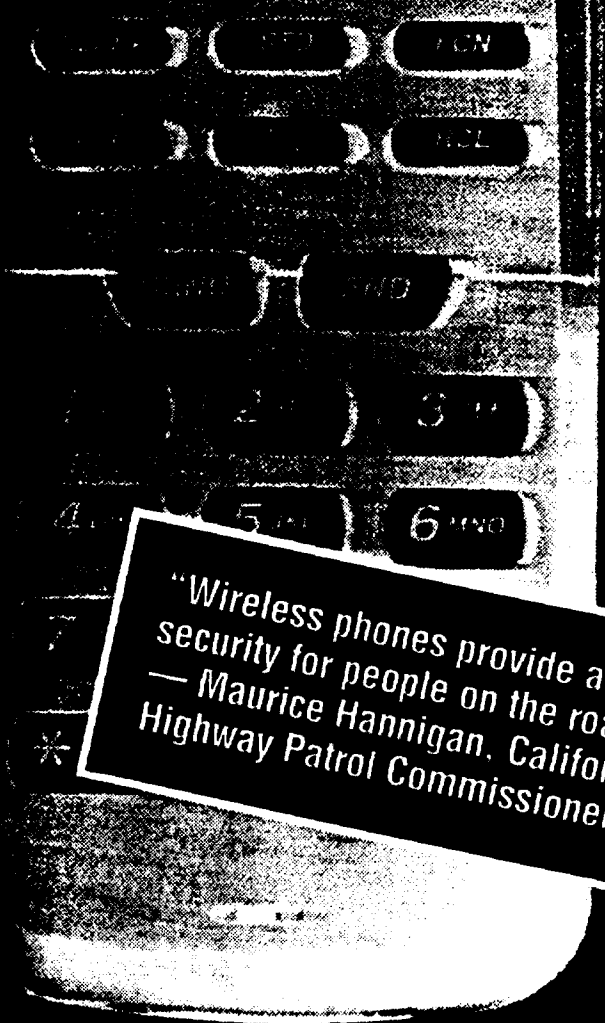
September 25, 1996

EXHIBIT A

The Link

Wireless Safety And Security



"Wireless phones provide added security for people on the road."
— Maurice Hannigan, California Highway Patrol Commissioner

People use wireless phones to make nearly 18 million emergency calls each year. Due to this tremendous volume, emergency operators urge callers to be sure a real emergency exists before calling. If the situation is not an emergency, alert the police or highway patrol on their non-emergency numbers.

"The good you do comes back to you in the end."
Alando Walker, 1995 CTIA Good Samaritan Award Winner, used his phone to call an ambulance for a woman in labor whose car had broken down on I-85 in Atlanta. The baby was safely delivered at the hospital a short time later.

THE VITAL LINK — CRIME

"We have become reliant on wireless phones for personal and community safety."
— Reed Hundt, Chairman, Federal Communications Commission

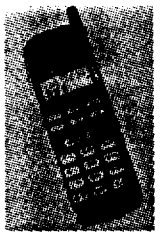
Wireless phones can provide a VITAL LINK to the police or highway patrol. Every month 600,000 callers report burglaries, carjackings, drunken drivers, and other dangerous situations. Many neighborhood watch groups rely on wireless phones. If you see suspicious behavior or a crime, call your local police or highway patrol.

THE VITAL LINK — HELP WHEN YOU NEED IT

"When I get paged, I pull over and make calls. I have to coordinate care for patients, so it's very important that I respond quickly."
— Mary Mrozinski, Nursing Supervisor, Fort Myers, Florida

Use your wireless phone to get help when you or other motorists are stranded. You can alert the highway patrol, call a mechanic, tow truck, or your auto club, and contact loved ones, childcare providers, or business contacts. Remember not to use emergency numbers unless a genuine emergency exists.

Wireless phones can increase your safety and the safety of those around you by providing a VITAL LINK in both emergency and non-emergency situations.



THE VITAL LINK — SAFE DRIVING FIRST!

"Driving safely is your first responsibility."
— John Andretti, NASCAR, stock car racing star

To ensure your safety and the safety of others, please remember the following helpful hints:

- Always buckle up.
- Keep your hands on the wheel and your eyes on the road.
- Position your phone correctly, within easy reach.
- Use a hands-free phone while driving.
- Use speed dialing.
- When possible, pull off the road or ask a passenger to dial.
- Never take notes while driving.
- For safety, allow voice mail to answer calls.

THE VITAL LINK — EMERGENCIES

"Wireless phones are a VITAL LINK for every emergency situation."
— Angel Rodriguez, Director of Operations for State Civil Defense, Puerto Rico

Emergencies can include a car crash, a breakdown in severe weather, fire, or natural disasters such as earthquakes or hurricanes. Medical emergencies include heart attacks or other conditions requiring immediate expert attention.

Emergencies occur when:

- A life is in danger.
- Physical harm has occurred or is threatened.

Be prepared for an emergency. Verify your local emergency numbers by calling your service provider or the police. Many locations have special emergency numbers other than 9-1-1. Record these numbers on the sticker provided. When you call, be prepared to provide the following information:

- Your name and wireless phone number.
- What happened.
- The number of injured victims.
- The exact location of the emergency.

Important: Don't hang up until the operator asks you to end the call.

Prepared in cooperation with:

AAA Foundation for Traffic Safety

GREEN CROSS FOR SAFETY

CTIA

MADD
Mothers Against Drunk Driving

(Peel off and place on your handset.)

CTIA is the international organization which represents all elements of wireless communications: cellular, personal communications services, enhanced specialized mobile radio, wireless data, and mobile satellite.

EXHIBIT B

CELLULAR 911
To Report Emergencies

Cellular 911 Education Task Force

911 Statewide Program

California Highway Patrol

Cellular Carriers Association of California

CELLULAR 9-1-1 EDUCATION TASK FORCE

California Highway Patrol
Cellular Carriers Association of California
State 911 Program

Mission Statement

To develop a comprehensive uniform statewide campaign to educate and heighten awareness of cellular subscribers and the general community on the responsible use of Cellular 9-1-1.

Goals

- Reduce inappropriate calls to Cellular 9-1-1
- Reduce non-emergency calls to Cellular 9-1-1
- Reduce 911 busy tones for Cellular 9-1-1 callers

Objectives

- Publicize problems with multiple calls on the same incident
- Publicize amount of calls to 911 statewide
- Publicize inappropriate calls to Cellular 911
- Publicize appropriate calls to Cellular 911
- Educate the public on the difference between wireless and landline 911

1225 Eighth Street, Suite 550, Sacramento, CA 95814 Phone 916-553-5810

Cellular 911 Education Taskforce

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CELLULAR911
To Report Emergencies

Cellular 911 Education Task Force

911 Statewide Program

California Highway Patrol

Cellular Carriers Association of California

FOR IMMEDIATE RELEASE
EMBARGOED UNTIL MAY 6, 1996

Contact: Tina Harris/
Kim Brockman
(916)442-2331

CELLULAR 9-1-1 IS *ONLY* FOR EMERGENCIES

Cellular 9-1-1 Education Task Force Launches Statewide Campaign to Educate Public on the Correct Use of Cellular 9-1-1

Sacramento, May 6, 1996--Have you ever called 9-1-1 from your cellular phone to get road conditions, the weather report or directions? If so, you are one of many cellular phone users abusing Cellular 9-1-1 by clogging the CHP phone lines with non-emergency calls.

Identifying a real need to educate cellular phone users and the general public on the importance of using Cellular 9-1-1 correctly, the Cellular 9-1-1 Education Task Force has kicked-off a public awareness campaign on the responsible use of Cellular 9-1-1.

One of the greatest benefits of cellular telephones is their use in reporting emergencies. Cellular phone users are often the first to alert public safety agencies about auto accidents, crimes in progress and other emergency situations. In 1995, more than two million Cellular 9-1-1 calls were made to the CHP, however, not all calls were real emergencies, making it difficult for callers with emergencies to get the help they need.

"Cellular phones have become important safety devices," said Steve Carlson, executive director of the Cellular Carriers Association of California. "It's important that we educate cellular users about the appropriate use of Cellular 9-1-1 so the system works for everyone."

The Cellular 9-1-1 Education Task Force public awareness campaign will work to educate the public about the value cellular users provide to public safety by correctly identifying an emergency and providing accurate information about the nature and location of the emergency to the CHP. The statewide campaign is an on-going effort that will include public service announcements, point-of-sale displays, educational pamphlets, and more.

(MORE)

"Cellular phones have become an important crime-fighting and safety tool," said "Spike" Helmick, Commissioner of the California Highway Patrol. "It's imperative that cellular phone users know what information they need to have when calling Cellular 9-1-1."

When calling Cellular 9-1-1, the Task Force recommends the following:

* Call Cellular 9-1-1 only for emergencies such as to report a traffic accident, a reckless or suspected intoxicated driver, a medical emergency, a fire, or a crime in progress.

* Know your location and the location of the emergency when calling Cellular 9-1-1. Unlike 9-1-1 calls made from your home or business, the CHP cannot identify the phone number and location of a cellular phone. Therefore, be prepared to provide the CHP with your location, the location of the emergency, your cellular phone number and area code.

* If emergency response agencies are already on the scene of a traffic accident, don't call Cellular 9-1-1. Multiple calls reporting the same emergency clog the lines and prevent the CHP from addressing new emergency situations.

* Do not call Cellular 9-1-1 for weather reports, road conditions, directions, movie/theater times or general information.

The Cellular 9-1-1 Education Task Force is a partnership of the California Highway Patrol, Department of General Services, State 9-1-1 Program, Cellular Carriers Association of California, and local safety agencies.

##

CELLULAR 911
To Report Emergencies

Cellular 911 Education Task Force

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California Highway Patrol

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CELLULAR 9-1-1 BACKGROUNDER

Personal Safety

One of the greatest benefits of cellular telephones is their use in reporting emergencies. In California, cellular carriers, the State 9-1-1 Program and the California Highway Patrol have created **Cellular 9-1-1** for cellular telephone owners to use in emergencies. There is no charge for Cellular 9-1-1 calls in California. The California Highway Patrol answers each Cellular 9-1-1 call and either initiates a response or transfers the call to the appropriate response agency.

For individuals, cellular means personal safety. Cellular carriers offer special rate plans for Californians wishing to use their phone primarily as a security and safety device. Nearly 70 percent of cellular subscribers own a cellular phone for personal safety. In 1995, more than two million Cellular 9-1-1 calls were placed to 24 CHP Communications Centers statewide.

Cellular phones have consistently proven their importance to saving lives and property in emergency situations. Californians use Cellular 9-1-1 to report emergencies, such as being stranded on a deserted roadway, traffic accidents or hazards, and crimes in progress. In addition, cellular phones have become a vital crime-fighting tool for "Neighborhood Watch" organizations and other community safety programs.

Calls to Cellular 9-1-1 are often the first notification enabling CHP and other public safety agencies to mobilize and carry out emergency response. Cellular phones have literally changed the nature of emergency response communications.

Future of Cellular 911

Many customers subscribe to cellular service precisely because of its safety advantages, yet most of them are probably unaware that Cellular 9-1-1 operates differently than 9-1-1 calls from landline phones

Wireless communications present a unique set of technological challenges to the delivery of emergency services. One difficult challenge in wireless communications, *unlike wireline*, is location. For 76 percent of the wireline customers, when a caller dials 9-1-1 the emergency response team can immediately identify the caller's exact location and phone number. That's because wireline phones don't move. But in the cellular industry, the technology is just now emerging that will enable emergency service providers to identify a cellular caller's location and phone number. Without this capability, the response team must rely on the caller to provide precise location information when reporting an emergency.

To address the challenges facing wireless communications, the Cellular Telecommunications Industry Association, the National Association of State Nine-One-One Administrators, the National Emergency Number Association, and the Association of Public-Safety Communications Officials, have proposed a plan to the Federal Communications Commission to adopt a locating system for Cellular 9-1-1 calls.

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CELLULAR 911
To Report Emergencies

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Cellular Carriers Association of California

CELLULAR 9-1-1 IS A FREE CALL

There is no charge for Cellular 9-1-1 calls in California. The California Highway Patrol answers each Cellular 9-1-1 call and either initiates a response or transfers the caller to the appropriate response agency.

Millions of Californians are using Cellular 911 to report emergencies, such as traffic accidents and potential hazards, medical emergencies, fires and crimes in progress.

Use of Cellular 9-1-1 in California

Year	Cellular 911 Calls	Percent Increase Per Year
1985	29,000	
1986	94,200	69%
1987	171,333	45%
1988	333,600	49%
1989	575,000	42%
1990	747,500	23%
1991	971,655	23%
1992	1,400,000	31%
1993	1,644,760	15%
1994	1,829,077	10%
1995	2,176,400	12%
Total Percent Increase from '85 through '95:		750%

Source: California Highway Patrol

Cellular 9-1-1 should be used ONLY for emergencies. For road conditions, call (800)427-7623 (ROAD). For other phone numbers, call directory assistance (4-1-1).

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CELLULAR 9-1-1 IS *ONLY* FOR EMERGENCIES

One of the greatest benefits of cellular telephones is their use in reporting emergencies. Drivers with cellular phones are often the first to alert local public safety emergency services about serious highway accidents and incidents. Yet many cellular users are calling Cellular 9-1-1 with non-emergency calls. Cellular 9-1-1 should not be used to test phones, ask for directions, get the weather report and road conditions, or get general information.

THE FOLLOWING ARE SOME OF THE REASONS TO CALL CELLULAR 9-1-1:

- A traffic accident
- A traffic hazard (i.e., disabled vehicle or debris blocking the roadway)
- A reckless or suspected intoxicated driver
- A medical emergency
- Any type of fire (i.e., vehicle, structure or wildfire)
- A driver in distress
- A crime in progress

THE FOLLOWING ARE NOT REASONS TO CALL CELLULAR 9-1-1:

- Emergency vehicles are already on scene of a traffic accident/medical emergency
- Weather report
- Road conditions
- Directions
- Phone numbers
- Theater/movie times
- Cat stuck in a tree
- General information

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CELLULAR 911
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Cellular Carriers Association of California

KNOW YOUR LOCATION AND THE LOCATION OF THE EMERGENCY

Unlike landline calls, an emergency responder cannot identify a caller's telephone number and location when calling 9-1-1 from a cellular phone. This means that when calling Cellular 9-1-1, be prepared to provide *specific* information so immediate action can be taken. Information regarding your location and the location of the emergency is critical.

BE READY TO PROVIDE THE FOLLOWING INFORMATION:

- **YOUR NAME**
- **YOUR CELLULAR TELEPHONE NUMBER, WITH AREA CODE**
- **STATE, INTERSTATE, COUNTY/CITY ROAD NUMBER OR NAME**
- **CITY**
- **CLOSEST MAJOR CROSS STREETS OR OFF-RAMPS**
- **DIRECTION OF TRAVEL**
- **MILE POST MARKER**
- **ANY DISTINGUISHING LANDMARKS**

1225 Eighth Street, Suite 550, Sacramento, CA 95814 Phone 916-553-5810